

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHARLES WILLIAMS,
Plaintiff,
v.
SACRAMENTO COUNTY,
Defendant.

Case No. 2:20-cv-01513-JDP (PC)

FINDINGS AND RECOMMENDATIONS
THAT THIS ACTION BE DISMISSED FOR
FAILURE TO PROSECUTE, FAILURE TO
COMPLY WITH COURT ORDERS, AND
FAILURE TO STATE A CLAIM

OBJECTIONS DUE WITHIN FOURTEEN
DAYS

On September 29, 2020, the previously assigned magistrate judge screened plaintiff's complaint, found that it failed to state a claim, and granted plaintiff thirty days to file an amended complaint. ECF No. 4. Plaintiff failed to timely file an amended complaint. Accordingly, on November 17, 2020, plaintiff was ordered to show cause within thirty days why this action should not be dismissed for failure to prosecute and failure to state a claim. ECF No. 6. Plaintiff was warned that failure to respond to the court's order could result in dismissal of this action. *Id.* at 2. To date, plaintiff has not filed an amended complaint, nor otherwise responded to the court's November 17, 2020 order.

Accordingly, it is ORDERED that the Clerk of Court shall randomly assign a United States District Judge to this case.

Further, it is RECOMMENDED that:

1. This action be dismissed without prejudice for failure to prosecute, failure to comply with court orders, and for failure to state a claim as set forth in the September 29, 2020 order. *See* ECF No. 4.

2. The Clerk of Court be directed to close the case.

These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days after being served with these findings and recommendations, any party may file written objections with the court and serve a copy on all parties. Such a document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” Any response to the objections shall be served and filed within fourteen days after service of the objections. The parties are advised that failure to file objections within the specified time may waive the right to appeal the District Court’s order. *Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

IT IS SO ORDERED.

Dated: January 21, 2021


JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE